

REMARKS

The Office Action mailed October 9, 2008 has been received and carefully reviewed. Reconsideration of the pending claims is respectfully requested in view of the following remarks.

Oath/Declaration

A new Declaration in compliance with 37 C.F.R. 1.67(a) sets forth that this application is a national stage filing under 35 U.S.C. § 371 of International Application Number PCT/JP04/16868 filed on November 12, 2004.

I. CLAIM REJECTIONS UNDER 35 U.S.C. §112

Claims 1, 2, 3, 6 and 8 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 3 and 8 have been canceled without prejudice and disclaimer.

Claims 1, 2, and 6 have been amended to particularly point out and distinctly claim the subject matter of the present embodiment.

Reconsideration and withdrawal of these rejections is therefore requested under 35 U.S.C. §112 for at least these reasons.

II. CLAIM REJECTIONS UNDER 35 U.S.C. §102

Claims 1-13 were rejected under 35 U.S.C. § 102(b) as being anticipated by Yasou et al., JP 56-065,621 A (hereinafter "JP-621"), submitted in the Applicant's Information Disclosure Statement filed on May 15, 2006.

Newly amended independent claims 1 and 6 recite a method and an apparatus for treating an NH₃-containing gas wherein a gas containing an ammonia (NH₃) of a high concentration is allowed to pass through a pre-treatment catalyst layer having a function for oxidizing NH₃ to generate nitrogen monoxide (NO), and then pass through a denitration catalyst layer having in combination, a denitration function and a function for oxidizing NH₃ to generate NO, which contains titanium oxide (TiO₂); an oxide of at least one selected from the group consisting of vanadium (V), tungsten (W), molybdenum

(Mo), zeolite, titania, alumina, and zirconia supported with platinum (Pt), and combinations thereof. A method and an apparatus for treating an NH_3 -containing gas while preventing thermal deterioration of the catalyst of the denitration catalyst layer not having the function for oxidizing NH_3 to generate NO in the pre-treatment catalyst layer in parallel thereto.

Claims 5, 11, and 13 recite a method as described above wherein the gas containing the NH_3 of the high concentration contains 3% of NH_3 .

These aspects of claims 1, 5-6, 11, and 13 are not disclosed, expressly or inherently, by Yasou et al., whereby the reference fails to anticipate these claims. The Office Action cites to the Abstract of Yasou et al., but this cited portion of Yasou et al. fails to teach or suggest a second catalyst layer having a denitration function as set forth in claim 1, and indeed teaches a second catalyst layer 5 having a NO_x reduction zeolite catalyst which reduces NO_x to N_2 in the presence of NH_3 (See Column 5 of Yasou et al., line 4). No teaching has been found in Yasou et al., and none has been alleged in the Office Action, that the second catalyst layer having a catalyst containing titanium oxide; an oxide of at least one selected from the group consisting of vanadium, tungsten, molybdenum, zeolite, titania, alumina and zirconia supported with platinum and combinations thereof. Furthermore, Yasou et al. discloses a relatively low concentration of NH_3 , such as 1-2% of NH_3 (Column 7 of Yasou et al., line 15). Thus, the reference fails to anticipate these claims.

Further, Yasou et al. fails to teach or suggest a method and an apparatus for treating an NH_3 -containing gas by which NH_3 contained in a high concentration in an exhaust gas can be efficiently decomposed and treated to be converted into a harmless gas without causing the deterioration of a catalyst and the increase in production of by-products as presently claimed (See Specification, page 4, lines 1-6). In fact, this is not disclosed or suggested in Yasou et al. since a gas to be treated is of a relatively low concentration of NH_3 , and all of the NH_3 is used as a reducing agent in the following NO_x reducing catalyst layer 5 without discharging from the catalyst layer 5 (Column 6 of Yasou et al., lines 1-6). Furthermore, an oxidation catalyst layer 6 disposed downstream of the NO_x reducing catalyst layer 5 is for oxidizing hydrocarbon in the gas to CO_2 and H_2O (Column 6 of Yasou et al., lines 7-11). If the gas treated is in high

concentration of NH_3 as in Yasou et al., an untreated NH_3 may be discharged from the reduction catalyst layer 5 and introduced into the oxidation catalyst layer 6. Thereby, this may generate a high concentration of NO_x to be discharged to the outside of the system. Accordingly, the reference further fails to anticipate these claims.

For at least these reasons, therefore, Applicant respectfully requests reconsideration and withdrawal of the rejections of independent claims 1 and 6, along with dependent claims 2, 4-7, 9, 11, and 13 under 35 U.S.C. §102.

CONCLUSION

For the reasons detailed above, it is respectfully submitted all claims remaining in the application, specifically, amended claims 1-2, 4-7, 9, 11, and 13 are now in condition for allowance. No further search or examination is believed to be required.

If the Examiner considers personal contact advantageous to the disposition of this case, he is hereby authorized to call Richard J. Minnich, at telephone number 216.363.9000, Cleveland, Ohio.

Respectfully submitted,

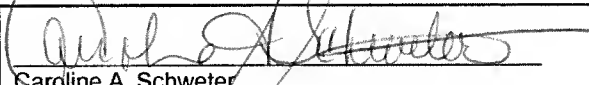
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Date

CERTIFICATE OF ELECTRONIC TRANSMISSION	
I hereby certify that this correspondence (and any item referred to herein as being attached or enclosed) is (are) being transmitted to the USPTO by electronic transmission via EFS-Web on the date indicated below.	
Date: February 5, 2009	 Caroline A. Schweter

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